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Letter dated 1 March 2018 from the Secretary-General addressed to the President of the Security Council

I have the honour to refer to Security Council resolution 1966 (2010), by which the Council established the International Residual Mechanism for Criminal Tribunals, and, in particular, to article 10, paragraph 2, of the statute of the Mechanism, annexed thereto, on the appointment of a judge to fill a vacancy in the roster of judges of the Mechanism.

Article 8, paragraph 1, of the statute provides that the Mechanism is to have a roster of 25 independent judges.

One of the judges, Solomy Balungi Bossa (Uganda), has resigned with effect from 11 March 2018, following her election as a judge of the International Criminal Court.

Pursuant to article 10, paragraph 2, of the statute, in the event of a vacancy in the roster, after consultation with the Presidents of the Security Council and of the General Assembly, the Secretary-General is to appoint a person meeting the qualifications of article 9, paragraph 1, of the statute, for the remainder of the term of office concerned.

According to article 9, paragraph 1, of the statute, the judges are to be persons of high moral character, impartiality and integrity who possess the qualifications required in their respective countries for appointment to the highest judicial offices. Particular account is to be taken of experience as judges of the International Tribunal for the Former Yugoslavia or the International Criminal Tribunal for Rwanda.

The procedure for identifying a candidate for consideration for appointment under article 10, paragraph 2, is not prescribed in the Statute. In accordance with the established practice regarding the appointment of a judge to fill a vacancy at the International Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda, which was adopted for the purposes of filling a vacancy in the roster of judges of the Mechanism in 2016, the State of nationality of the outgoing judge, Uganda, has nominated a candidate, Judge Elizabeth Ibanda-Nahamya, to replace Judge Bossa for the remainder of her term of office.

It is my view that Judge Ibanda-Nahamya meets the qualifications that are prescribed in article 9, paragraph 1, of the statute of the Mechanism.

In accordance with article 10, paragraph 2, of the statute of the Mechanism, I look forward to receiving your views on the appointment of Judge Ibanda-Nahamya as a judge of the Mechanism.

(*Signed*) António **Guterres**

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